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STATE OF MINNESOTA
COUNTY OF HENNEPIN

DIST. COURT ADMINISTRATION

FOURTH JUDICIAL DISTRICT COURT
JUVENILE DIVISION

In the Matter of:
Photographs of Juveniles
In Custody or Under
Supervision of
Juvenile Services Staff

AMENDED STANDING ORDER RELATING
TO COLLECTION, MAINTENANCE AND
USE OF JUVENILES' PHOTOGRAPHS

WHEREAS, Minn. R. Juv. P. 5.06 subd. 1 provides that all children in custody who were arrested for or are alleged to have committed felonies or gross misdemeanors shall be photographed without a court order; and further requires that a report stating the name of the child photographed and the date the photograph was taken shall be filed with the court; and

WHEREAS, Minn. Stat. 299C.10 subd. 1(a) (2) states that community corrections agencies operating secure juvenile detention facilities shall take or cause to be taken immediately, photographs of juveniles arrested for, appearing in court on a charge of, adjudicated delinquent for, or alleged to have committed felonies or gross misdemeanors and provide them, along with other identifying information requested or required, to the superintendent of the bureau of criminal apprehension; and

WHEREAS, Minn. Stat. 299C.10 subd. 1(c) states that probation officers and their agents and subordinates shall attempt to ensure that the identification data required by Minn. Stat. 299C.10 subd. 1(a) is taken; and

WHEREAS, Minn. Stat. 260B.171 subd. 5(c) provides that the commissioner of corrections may photograph juveniles whose legal custody is transferred to the commissioner; and that such photos be used only for institution management purposes, case supervision by parole agents and to assist law enforcement agencies to apprehend juvenile offenders; and directs the commissioner to maintain photographs of juveniles in the same manner as juvenile court records and names; and

WHEREAS, Hennepin County Juvenile Services similarly needs photographs of youth who are detained in the Juvenile Detention Center, housed at the County Home School or under probation supervision, for institution management purposes, case supervision and to assist law enforcement agencies to apprehend juvenile offenders; and

WHEREAS it is desirable to establish a uniform policy relating to collection and use of juvenile photographs by Hennepin County's Department of Corrections and Rehabilitation – Juvenile Services Division;

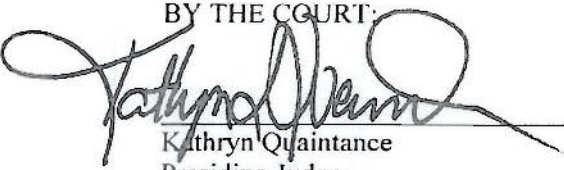
IT IS HEREBY ORDERED THAT:

1. Hennepin County Juvenile Detention Center (JDC) staff shall photograph all youth booked into that facility who are arrested for or alleged to have committed felonies or gross misdemeanors. Updated photographs shall be taken during subsequent bookings resulting from felony or gross misdemeanor charges if a youth's appearance has changed to the extent that previous photographs will not suffice for identification purposes. When

an updated photograph is taken, all previous photographs of that youth shall be destroyed. JDC staff shall enter youths' photographs into the Juvenile Services electronic case management system (MAIn), where the photographs may be viewed/used by all licensed MAIn users with business needs to view/use them. Photographs shall be used only for institution management purposes, case supervision, and to assist law enforcement agencies in apprehending juvenile offenders.

2. JDC staff shall continue to collect and transmit identification data required or requested by the Minnesota Bureau of Criminal Apprehension pursuant to Minn. Stat. 299C.10 subd. 1(a)(2).
3. Juvenile Services probation officers and their agents may photograph youth who are alleged to have committed, who have been adjudicated for committing, or who are court-ordered to probation supervision for, felonies and gross misdemeanors who do not have photographs in MAIn. Probation staff may also take updated photographs of youth whose appearance has changed to the extent that photographs in MAIn will not suffice for identification purposes. When an updated photograph is taken, all previous photographs of that youth shall be destroyed. Probation officers and their agents shall enter youths' photographs into MAIn, where they shall be used only for institutional management purposes, case supervision, and to assist law enforcement agencies in apprehending juvenile offenders.
4. Hennepin County Home School (CHS) staff may take updated photographs of youth whose appearance has changed to the extent that previous photographs in MAIn will not suffice for identification purposes. When an updated photograph is taken, all previous photographs of that youth shall be destroyed. CHS staff may also photograph youth who are booked into the CHS who do not have photographs in MAIn; these photographs shall be destroyed when the youth is discharged from the CHS, unless the youth remains under Hennepin County supervision, in which case the photographs shall be destroyed in accordance with paragraph 6 below. Photographs taken by CHS staff shall be entered into MAIn, and shall be used only for institution management purposes, case supervision, and to assist law enforcement agencies in apprehending juvenile offenders.
5. Juvenile Services shall file reports with the juvenile court listing all youth photographed and the date each was photographed.
6. All photographs of youth taken by Hennepin County Juvenile Services staff shall be destroyed within 30 days of when the child reaches the age of 19 years, or the age of 21 years for youth designated extended jurisdiction juveniles (EJJ), unless otherwise specified in this order.
7. Failure to comply with this order may constitute contempt of court and may constitute a misdemeanor.

DATE: 11/17/09

BY THE COURT:

Kathryn Quaintance
Presiding Judge
Hennepin County Juvenile Court